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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,795	07/11/2000	Eizou Fujii	10873.556US01	9825
7590	08/27/2004		EXAMINER	
Merchant & Gould P C P O Box 2903 Minneapolis, MN 55402-0903			BEREZNY, NEMA O	
			ART UNIT	PAPER NUMBER
			2813	

DATE MAILED: 08/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/613,795	FUJII, EIZOU
	Examiner	Art Unit
	Nema O Berezny	2813

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 23 June 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) 6-9 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5, 10 and 11 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 July 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10102000, 02202003</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Election/Restrictions

Applicant's election of claims 1-5 and 10-11 in the reply filed on 6-23-04 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 and 10-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Takashi (JP 10-41492). Takashi discloses a solid-state image device, comprising a package including at least one corner that has a recessed portion (Fig.3 el.9a), wherein the recessed portion is defined by an end face including at least two linear portions observed when being seen from an upper surface side of the package (Fig.3) [claim 1]. Takashi also discloses a solid-state image device, comprising a package having at least two recessed portions (el.9a) formed at least at one selected from two adjacent side ends of the package, wherein the at least two recessed portions are defined by an end face including linear portions observed when being seen from an upper surface side of

the package (Fig.3) [claim 2]; wherein the linear portions are substantially parallel to either of two adjacent side ends, respectively (Fig.3 el.9) [claim 3]; wherein the package comprises: a member for patterning (el.9), on a surface of which a conductor pattern (el.11) for transmitting signals from a solid-state image element (el.2) is formed; and a frame member (el.13) that has an opening surrounding the solid-state image element and is positioned above the member for patterning, and the at least two linear portions, in the recessed portion, observed when the recessed portion is seen from the upper surface side of the package, being formed of the member for patterning (Fig.3) [claim 4]; wherein the package comprises: a member for patterning (el.9), on a surface of which a conductor pattern (el.11) for transmitting signals from a solid-state image element (el.2) is formed; and a frame member (el.13) that has an opening surrounding the solid-state image element and is positioned above the member for patterning, and the linear portions, in the at least two recessed portions, observed when the at least two recessed portions are seen from the upper surface side of the package, being formed of the member for patterning (Fig.3) [claim 5]. Takashi also discloses a camera comprising: a solid-state image device according to claim 1; and a lens block (el.16) having at least two projections (el.17) coming into contact with the at least two linear portions respectively, which are observed when the solid-state image device is seen from the upper surface side, in the recessed portion along their shapes and a lens (el.14) focusing external light onto a solid-state image element (el.2) included in the solid-state image device, wherein the solid-state image device and the lens block are positioned with the at least two projections being in contact with the at least two linear

portions along their shapes, respectively (Fig.3) [claim 10]; and a camera comprising: a solid-state image device according to claim 2; and a lens block (el.16) having at least two projections (el.17) coming into contact with the linear portions respectively, which are observed when the solid-state image device is seen from the upper surface side, in the at least two recessed portion along their shapes and a lens (el.14) focusing external light onto a solid-state image element (el.2) included in the solid-state image device, wherein the solid-state image device and the lens block are positioned with the at least two projections being in contact with the linear portions along their shapes, respectively (Fig.3) [claim 11].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nema O Berezny whose telephone number is (571) 272-1686. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead, Jr. can be reached on (571) 272-1702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NB

Nema Berezny
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